

**IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

UNITED STATES OF AMERICA	)	Criminal Action No.
	)	1:17-CR-00428-6-LMM-RGV
v.	)	
	)	
MICHAEL MILLER, GIOVANNI CARTIER A/K/A	)	
“RIQ” CARTIER, ERIC FARRINGTON III,	)	
MELVIN GOODE,	)	
KIRK EVANS, AND VLADIMIR MARCELLUS	)	

**Sentencing Memorandum**

Comes now, Vladimir Marcellus, through his Attorney and and files this Sentencing Memorandum to assist the Court in determining the appropriate sentence in this case.

**Defense Recommendation**

Defense counsel agrees with the Government’s sentencing recommendation and respectfully requests that the Defendant be sentenced to 36 months’ probation with 8 months in home confinement

**Sentencing Guideline Issues**

Defense counsel does not see any issues with the guidelines as presented by the Government and the Probation Office. Defense respectfully request that the Defendant be sentenced to 36 months’ probation with 8 month in home confinement.

## **Vladimir Marcellus Background and Acceptance of Responsibility**

Mr. Marcellus is a 29 year old Naturalized Citizen. He is gainfully employed as a software developer with a salary of \$85,000.00. Mr. Marcellus has no previous criminal history, but has accepted responsibility for his actions in this case. Additionally, Mr. Marcellus has been extremely cooperative in assisting the Government in the pursuit of other criminal activities with other parties and the Government is seeking a downward departure for sentencing.

Respectfully submitted,

/s/ Timothy McCalep

Counsel for Defendant  
Vladimir Marcellus

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<sup>1</sup> The plea agreement states the following regarding a sentencing recommendation:

If the adjusted guideline range falls under Zone A or B of the Sentencing Table, the Government and the Defendant agree that the Defendant should be sentenced to a three year term of probation, with the low end of the adjusted guideline range to be served as home confinement. Otherwise, the Government agrees to recommend that the Defendant be sentenced at the low end of the adjusted guideline range.

(Doc. 70-1 at 9.)

**Certificate of Service**

I hereby certify that on the 8<sup>th</sup> day of July, I electronically filed the foregoing with the Clerk of the Court by using the Court's CM/ECF system, which automatically notifies the parties and counsel of record.

/s/ Timothy McCalep

*Counsel for Defendant Vladimir Marcellus*